

*Exempt from filing Fees
Government Code Section 6103*

Avi Burkwitz, Esq., Bar No.: 217225
aburkwitz@pbbgbs.com
Gayane Muradyan, Esq., Bar No.: 337436
gmuradyan@pbbgbs.com
**PETERSON BRADFORD BURKWITZ
GREGORIO BURKWITZ & SU, LLP**
100 North First Street, Suite 300
Burbank, California 91502
T: 818.562.5800
F: 818.562.5810

Attorneys for Defendant, COUNTY OF LOS ANGELES

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

DANIEL ALVAREZ,

Plaintiff,

vs.

LOS ANGELES COUNTY, LOS
ANGELES COUNTY CHILDREN AND
FAMILY SERVICES, AND CATIE
REAY, DOES 1-10,

Defendants.

Case No.: 2:24-cv-01035-ODW-MAR
Assigned to the Honorable:
Otis D. Wright, II
[Courtroom: 5D]

**[PROPOSED] ORDER RE
DEFENDANT, COUNTY OF LOS
ANGELES' NOTICE OF MOTION
AND MOTION TO DISMISS
PLAINTIFF'S THIRD AMENDED
COMPLAINT PURSUANT TO
F.R.C.P. RULE 12(B)(6)**

*[Concurrently filed with Defendant,
County of Los Angeles' Notice of Motion
and Motion to Dismiss Plaintiff's Third
Amended Complaint Pursuant to
F.R.C.P. Rule 12(B)(6)]*

Date: August 11, 2025
Time: 1:30 pm
Courtroom 5D

Complaint Filed: February 07, 2024
FAC Filed: November 12, 2024
SAC Filed: May 6, 2025
TAC Filed: June 3, 2025
Trial Date: None

1

**[PROPOSED] ORDER RE DEFENDANT,
COUNTY OF LOS ANGELES' NOTICE OF
MOTION AND MOTION TO DISMISS
PLAINTIFF'S THIRD AMENDED
COMPLAINT PURSUANT TO F.R.C.P. RULE
12(B)(6)**

2:24-cv-01035-ODW-MAR

Defendant, COUNTY OF LOS ANGELES' Motion to Dismiss came for hearing on August 11, 2025, at 1:30 p.m., before the Otis D. Wright, II, U.S. District Court Judge presiding. The Court read and considered the papers submitted both in support of and opposition to the Motion and based upon further briefing, papers, and pleadings on file in this matter as well as the oral arguments,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Defendant, County of Los Angeles' Motion to Dismiss Plaintiff, DANIEL ALVAREZ's Third Amended Complaint pursuant to Federal Rules of Civil Procedure, Rule 12(B)(6), is hereby GRANTED, with prejudice.

IT IS SO ORDERED.

DATED: _____, 2025 By: _____
HON. OTIS D. WRIGHT, II
U.S. DISTRICT COURT JUDGE

PETERSON BRADFORD BURKWITZ
GREGORIO BURKWITZ & SU, LLP
100 North First Street, Suite 300
Burbank, California 91502
Telephone 818.562.5800

PETERSON BRADFORD BURKWITZ
GREGORIO BURKWITZ & SU, LLP
100 North First Street, Suite 300
Burbank, California 91502
Telephone 818.562.5800

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the action; my business address is 100 North First Street, Suite 300, Burbank, California 91502.

On July 8, 2025, I served the foregoing document described as:
[PROPOSED] ORDER RE DEFENDANT, COUNTY OF LOS ANGELES' NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFF'S THIRD AMENDED COMPLAINT PURSUANT TO F.R.C.P. RULE 12(B)(6)

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED MAILING LIST

- ☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed document(s) with the Clerk of the Court by using the CM/ECF system. Participants in this case who are registered CM/ECF users will be served by the CM/ECF system. Participants in this case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.
- ☐ **BY ELECTRONIC MAIL:** Based on court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification address(s) below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☐ **BY PERSONAL SERVICE:** I delivered such envelope by hand to the addressee.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 8, 2025, in Burbank, California

/s/ Cynthia Collazo

Cynthia Collazo

**[PROPOSED] ORDER RE DEFENDANT,
COUNTY OF LOS ANGELES' NOTICE OF
MOTION AND MOTION TO DISMISS
PLAINTIFF'S THIRD AMENDED
COMPLAINT PURSUANT TO F.R.C.P. RULE
12(B)(6)**

SERVICE LIST

RE: Alvarez, Daniel v. County of Los Angeles

Case 2:24-cv-01035-ODW-MAR
No.:

Angela Swan, Esq.
**The Law Offices of Angela Swan,
APC**
21151 S. Western Ave., Suite 177
Torrance, CA. 90501
T: (310) 755-2505
E: aswan@angelaswanlaw.com

**Attorney for Plaintiff,
Daniel Alvarez**

Jeffrey Lewis
Kyla Dayton
JEFF LEWIS LAW, APC
827 Deep Valley Drive, Suite 209
Rolling Hills Estates, CA 90274
Tel. (310) 935-4001
E-Mail: Jeff@JeffLewisLaw.com

Attorneys for Defendant

CATHERINE REAY